

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 383 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

1 to 5 : NO

YOGENDRA KASTURBhai PARMAR

Versus

I G PRISONS

Appearance:

MRS MADHUBEN SHARMA for Petitioner
Shri U.R. Bhatt, learned ASSTT PUBLIC PROSECUTOR
for Respondent No. 3

CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 05/05/98

ORAL JUDGEMENT

Rule. Service of the rule is waived by Shri U.R. Bhatt, learned Assistant Public Prosecutor for the respondents.

2. The petitioner was released on parole on the

ground that his father was sick, and also wanted to construct and repair his house. He has collected building material for the construction and reparation of his house, but as time fell short he had to surrender back. Now by this application he prays for being released on parole so that he can get the construction work completed.

3. With a view to see that the reparation work undertaken is completed and the petitioner may have opportunity to supervise the work and if necessary may suggest alterations or additions and have the same as per his choice and liking, the petitioner is required to be released on parole for 10 days only.

4. For the aforesaid reasons, this application is allowed. The petitioner is ordered to be released on parole for 10 (ten) days to be calculated from the date of his release, on his executing bond of Rs.5000/(Rupees five thousand only) with surety of the like amount or depositing in cash the sum of Rs.5000/- with the Jail authority and executing personal bond, and also on the conditions that he shall stay at village Mansa in Gandhinagar District, mark his presence before Mansa Police Station on every alternate day at any time between 9.00 AM and 2.00 PM and surrender back to the Jail custody latest by 16-00 hours on the last day of the period of parole. In no circumstance extension shall be granted.

5. It would be open to the Jail authorities to impose any other conditions not running contrary to the above conditions, or law and rules applicable.

6. In case of breach of any of the conditions, it will be open to the Jailer to forfeit the bond amount and further impose any other penalty permissible in law. Rule is made absolute accordingly.

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